Docket No.: P-0220

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCES

In re Application of	Confirmation No.: 4930
Jae Kyung LEE	Group Art Unit: 2623
Serial No.: 09/841,007	Examiner: Scott E. BELIVEAU
Filed: 4/25/2001	**Customer No.: 34610**

For: TV HAVING LANGUAGE SELECTION FUNCTION AND CONTROL METHOD OF THE SAME

TRANSMITTAL OF APPEAL BRIEF

U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief-Patents
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Submitted herewith is Appellant Appeal Brief in support of the Notice of Appeal filed November 13, 2006. Enclosed is a check for the Appeal Brief fee of $500.00.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,

Daniel Y.J. Kim
Registration No. 36,186
Joanna K. Mason
Registration No. 56,408

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3701 DYK/JKM/lhd
Date: February 8, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCE

In re Application of	Confirmation No.: 4930
Jae Kyung LEE	Group Art Unit: 2623
Serial No.: 09/841,007	Examiner: Scott E. BELIVEAU
Filed: April 25, 2001	Customer No.: 34610

For: TV HAVING LANGUAGE SELECTION FUNCTION AND CONTROL METHOD OF THE SAME

APPEAL BRIEF

U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief-Patents
Randolph Building
401 Dulany Street
Alexandria, Virginia 223134

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed November 13, 2006. This appeal is taken from the rejection of claims as set forth in the Office Action of July 11, 2006 (hereinafter the Office Action). In accordance with 37 C.F.R. §41.37, Applicant addresses the following items.

REAL PARTY IN INTEREST

The real party in interest is the assignee, LG ELECTRONICS INC. The assignment document is recorded at Reel 011759 and Frame 0592.

RELATED APPEALS AND INTERFERENCES

There are no related appeals and interferences.

STATUS OF THE CLAIMS

This is an appeal from the final rejection dated July 11, 2006 of claims 1, 2, 4-19, 23 and 31-33. No other claims are pending.

STATUS OF AMENDMENTS

An Amendment After Final Rejection was filed on October 11, 2006. This Amendment was denied entry. Another Amendment was filed on February 7, 2007. The February 7, 2007 Amendment cancels claims 21 and 22 in order to overcome the objection to the drawings and the rejection of claims 21 and 22 under 35 U.S.C. §112, first paragraph so as to reduce the number of issues for appeal. It is assumed that the February 7, 2007 Amendment has been entered. A correct copy of appealed claims 1, 2, 4-19, 23 and 31-33, including the amendments thereto filed on February 7, 2007 and all entered amendments thereto, appears in the attached Claims Appendix A. In the event that the February 7, 2007 Amendment has not been entered, a copy of pending claims 1, 2, 4-19, 21-23 and 31-33 appears in the attached Claims Appendix B.

SUMMARY OF THE CLAIMED SUBJECT MATTER

As stated in 37 C.F.R §41.37(c)(v), Applicant is providing the following explanation of each of the independent claims 1, 12, 18 and 23 involved in this appeal. This explanation refers to the specification and drawings. The following is merely an example summary and is not intended to be a discussion of the full and entire scope of the claims. Other interpretations, configurations and embodiments are also within the scope of the pending claims.

This application is directed to a television (TV) having a language selection function which allows character information, such as, for example, closed caption information, included in a broadcast signal to be included in an on screen display (OSD) in a language which has been selected by a user. The TV may include a tuner, a demodulator, and a demultiplexer. The TV may also include a character information processing unit which allows the TV to receive a broadcast signal including character information in a first language, and obtain a translation of the character information for an OSD of the character information in a second, user selected language. The character information processing unit may include an audio/video decoder which restores a demultiplexed transport stream for output through an audio processing unit and a video processing unit. A network interface may provide for two way communication between the TV and a translation relay site server via, for example, the internet, for translation of character information by an appropriate translation site. A control unit may control the various systems of the TV, and a storage unit may store contact information related to a plurality of translation sites, operation programs related to translation, and other such information.

When a broadcast signal is received, the control unit checks for a language change key signal which indicates that a specific user selected language has been requested for the display of character information included in the broadcast signal, and compares the language associated with character information in the transport stream (a first language) corresponds to the newly selected language (a second language). If the first and second languages are not the same, the control unit uses contact information stored in the storing unit to contact the translation relay site server through the network interface. The control unit then transmits information regarding the first and second languages, as well as character information from the transport stream which is to be translated from the first language into the second language to the translation relay site server for translation by the translation site.

When the translated character information is received, the control unit transmits the translated character information in the second language to the audio/video decoder. The decoder decodes the translated character information, synchronizes the corresponding audio information with the translated character information, and transmits a corresponding OSD to the video processing unit, and audio information synchronized with the OSD to the audio processing unit. The video processing unit mixes the OSD with a broadcast video, and displays the signal, including the OSD in the newly selected (second) language, in synch with the corresponding audio.

This system allows for quick and accurate translation of character information, such as, for example, closed caption information, through any one of a plurality of translation sites which

can provide numerous different language selections to a user. By providing access to a plurality of translation sites, the user may select from any number of languages for display of this character information, while using a very simple interface which is embedded in the TV itself.

The following are discussions of the claims with reference numerals, which are intended to be illustrative, and not for the purpose of limiting the scope of the claims.

Independent Claim 1

Independent claim 1 is directed to a TV having a language selection function. The TV includes a control unit 22 configured to receive closed caption character information in a first language, to send the closed caption character information to a translation site 27 through a network interface 25 based on contact information associated with a plurality of translation sites 27 stored in a storing unit 24 if it is determined that the first language does not correspond to a selected language, and to receive the translated closed caption character information corresponding to the selected language. The TV also includes a video processing unit 23 configured to receive the translated closed caption character information and to display the translated closed caption character information on a screen substantially in synch with corresponding audio information.

Independent Claim 12

Independent claim 12 is directed to a TV having a language selection function. The TV includes a network interface unit 25 configured to contact a translation site 27, and a storing unit 24 configured to store contact information for at least one translation site 27 which corresponds to a plurality of languages and an operation program related to translation. The TV also includes a control unit 22 configured to contact a translation site 27 corresponding to a selected language based on the contact information stored in the storing unit 24, to transmit closed caption character information to be translated in accordance with the operation program stored in the storing unit 24, and to receive translated closed caption character information from the translation site 27, and a video processing unit 23 configured to display the translated closed caption character information on a screen substantially in synch with corresponding audio information.

Independent Claim 18

Independent claim 18 is directed to a control method for a TV having a language selection function. The method includes receiving closed caption character information in a first language (S35) (S51) and contacting an appropriate translation site through a network interface (S36) (S52) if it is determined that the first language associated with the closed caption character information does not correspond to a selected language (S35) (S51). This includes selecting the appropriate translation site based on the selected language and contacting the appropriate

translation site based on previously stored contact information related to a plurality of translation sites (S36) (S53), requesting translation of the closed caption character information from the first language to the selected language by transmitting the closed caption character information to the appropriate translation site (S38) (S53), receiving closed caption character information which has been translated into the selected language from the translation site (S39) (S55). The method also includes displaying the translated closed caption character information on a screen substantially in synch with corresponding audio information (S40).

Independent Claim 23

Independent claim 23 is directed to a control method for a TV having a language selection function. The method includes determining if a language of closed caption character information included in a signal corresponds to a selected language (S35), requesting translation of the closed caption character information by contacting an internet translation site corresponding to the selected language by selecting an appropriate translation site from a plurality of translation sites (S36) (S52) and transmitting the closed caption character information to the selected translation site (S37, S38) (S53) if the language of the closed caption character information included in the signal is different from the selected language, and receiving translated closed caption character information from the translation site (S39) (S55) and displaying the translated closed caption character information on a screen (S40) substantially in synch with corresponding audio information.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Whether claims 1, 2, 4, 11-14, 18, 23 and 31-33 are obvious under 35 U.S.C. §103(a) over U.S. Patent No. 6,002,394 to Schein et al. (hereinafter "Schein") in view of U.S. Patent No. 6,473,778 to Gibbon (hereinafter "Gibbon"), and further in view of U.S. Patent No. 6,901,367 to Berstis et al. (hereinafter "Berstis"); and

2. Whether claims 5-10, 15-17 and 19 are obvious under 35 U.S.C. §103(a) over Schein in view of Gibbon and Berstis, and further in view of U.S. Patent No. 5,918,013 to Mighdoll et al. (hereinafter "Mighdoll").

In the section below entitled "Arguments," Applicant sets forth separate arguments for each of pending claims 1, 2, 4-19, 23 and 31-33. Applicant respectfully submits that each of claims 1, 2, 4-19, 23 and 31-33 stands and falls separately from one another.

ARGUMENTS

The present application includes four independent claims, namely, independent claims 1, 12, 18 and 23. These claims recite different features as may be evidenced by the discussion below. However, for ease of discussion, in some instances, similar features may be discussed with respect to one another. This is not an admission that the claims are the same, or that they stand or fall together. Rather, this is an attempt to narrow the number of issues and limit the number of arguments. While arguments may be similar for different claims, it should be

understood that differently claimed features are expressly recited in different claims.

It is respectfully submitted that each of the independent claims defines patentable subject matter, as discussed below. Each of the dependent claims depends from one of the independent claims, and therefore defines patentable subject matter at least for this additional reason. Further, each of the dependent claims recite features that further and independently distinguish over the applied prior art.

I. Rejection Under 35 U.S.C. §103(a) over Schein, Gibbon and Berstis

A. Independent Claim 1

Independent claim 1 is drawn to a TV having a language selection function. Independent claim 1 recites a control unit configured to receive closed caption character information in a first language, to send the closed caption character information to a translation site through a network interface based on contact information associated with a plurality of translation sites stored in a storing unit if it is determined that the first language does not correspond to a selected language, and to receive the translated closed caption character information corresponding to the selected language, and a video processing unit configured to receive the translated closed caption character information and to display the translated closed caption character information on a screen substantially in synch with corresponding audio information. Schein neither discloses nor suggests such features.

More specifically, Schein discloses an internet enabled TV which can search an electronic programming guide (EPG) held by a remote database, network, or online service, and allow a user to link to related advertisers and broadcasters through the EPG. Schein neither discloses nor suggests a control unit which can communicate with a translation site if a first language does not correspond to a selected language, nor a storing unit in which contact information related to a plurality of translation sites is stored, nor a video processing unit which can receive translated closed caption character information and display it substantially in synch with corresponding audio information, as recited in independent claim 1.

It is noted that the Office Action refers to column 24, lines 14-16 of Schein in support of the assertion that the ability to order a transcript of a video program is commensurate to obtaining closed caption character information. However, this portion of Schein's disclosure is specifically directed at the system's ability to provide links to various other, related advertisers so as to purchase related goods and services. Schein provides an example of this, in which a user viewing a football game may be linked to a site to purchase team related paraphernalia, or view clips from other games (see column 24, lines 1-14 of Schein). The user may also order a tape or transcript of the program shown on the guide. This tape is simply a video reproduction of a particular program, and the transcript of the program is simply a written, hard copy reproduction of the voice component, or script, associated with the video. Such a hard copy transcription is not displayed on the screen, let alone in synch with corresponding audio information. Thus, it is respectfully submitted that this transcription is not comparable to the recited closed caption

character information, nor does Schein disclose or suggest that this transcribed/written voice component goes through any sort of translation steps prior to its composition. Thus, Schein neither discloses nor suggests at least a control unit, a storing unit, and video processing unit as recited in independent claim 1. Further, Gibbon fails to overcome the deficiencies of Schein.

Gibbon discloses a system for creating hypermedia documents which allow television programs to be formatted for web broadcast. Gibbons discloses a means by which closed caption text is extracted from a TV program and aligned with an actual transcript associated with a video application to produce an improved, frame referenced transcript. This frame referenced transcript, which reflects a combination of closed caption text and the actual transcript, may be then linked to a video component to produce a hypermedia document for web posting. However, it is the aligned text in the same language in which it was received, and not translated closed captioned text, which is displayed. Gibbon neither discloses nor suggests that closed caption character information is translated, let alone that contact information for a plurality of translation sites is stored in any type of storing unit, nor that such translated closed caption character information is displayed substantially in synch with corresponding audio information, as recited in independent claim 1.

Further, there would have been no motivation to modify Schein's system to incorporate the features of the system disclosed by Gibbon, as suggested in the Office Action. That is, the transcript disclosed by Schein is simply a written version of the text or script associated with a particular broadcast which is made available for purchase by a user of Schein's television system,

and which is received by the user well after the corresponding television program has been broadcast. There would be no resultant benefit in combining the two systems, as the written transcript available for purchase using Schein's system does not require the alignment taught by Gibbon, nor does Schein disclose or suggest that his television system includes any capability to produce hypermedia documents, nor that it would be useful or advantageous to do so.

Still further, Berstis fails to overcome the deficiencies of Schein and Gibbon. Berstis discloses a data processing system 10, including a CPU 12 connected to several peripheral devices 14, 16, 18 by a bus 20 or direct channel 22. The system 10 may be loaded with a language translation package which provides local, internal translation capability of a limited number of incoming and outgoing languages (see column 4, lines 55-58 of Berstis). The system may instead communicate with a single Alta Vista web site to request a translation from the listing of languages provided by that site, if so equipped. Berstis discloses in Figure 2 an email engine GUI 214, with a translation service 212 included in a list of user options 210 which allows incoming email messages to be translated into the user's language. To initialize the translation service 212, the user selects a home language 219A from a list 219B. This list 219B is dictated by the capability of the embedded software/selections on the single website. Likewise, languages from which incoming messages may be translated from a second language list 220B are also limited by the capability of the embedded software/website.

The text translated by Berstis' system is displayed on the user's monitor along with text in the original language. However, this translated text is simply email correspondence, and is not

closed caption character information, let alone closed caption character information which is displayed substantially in synch with any type of corresponding audio information. Further, Berstis' system automatically goes to its embedded software, if so configured, or to a single website for translation of this email text. Thus, translation capability is limited by either the languages included in the embedded software or the languages provided on that single website. Berstis neither discloses nor suggests at least a control unit, a storing unit which stores contact information for a plurality of translation sites, and a video processing unit as recited in independent claim 1.

Further, it is respectfully submitted that there would have been no motivation to combine the systems disclosed by Schein, Gibbon and Berstis. More specifically, as set forth above, Schein simply discloses a television system which can use an EPG to link to sites related to a particular broadcast. There would have been no motivation to modify Schein's system to incorporate the means for creating a hypermedia document as disclosed by Gibbon, which would provide no advantage, and would unnecessarily complicate the system as disclosed by Schein. Further, neither Schein nor Gibbon disclose or suggest that their systems would benefit from any type of translation capability, nor that their systems could or should be modified in any way to incorporate such a capability.

Still further, the email translation system disclosed by Berstis is specifically directed at email applications, which are relatively non-time sensitive when compared to a television broadcast. More specifically, in a television broadcast, closed caption character information, and

therefore, translated closed caption character information, should be displayed substantially in synch with its corresponding audio and video components if the combination thereof is to ultimately make sense and the translation is to be of value to the viewer. Berstis neither discloses nor suggests that his email translation system could or should be modified to include the capability to translate closed caption text associated with a television broadcast, nor the capability to display the translated closed caption text in synch with corresponding audio information. Rather, it is respectfully submitted that the Examiner's piecemeal reconstruction of the features recited in independent claim 1 through the combination of the Schein, Gibbon and Berstis references relies on the use of impermissible hindsight gleaned from Applicant's own disclosure.

For at least these reasons, it is respectfully submitted that independent claim 1 is allowable over the applied combination, and thus the rejection of independent claim 1 under 35 U.S.C. §103(a) over Schein, Gibbon and Berstis should be withdrawn.

B. Dependent Claim 2

Dependent claim 2 depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 2 recites additional features such that dependent claim 2 does not stand or fall together with independent claim 1. For example, dependent claim 2 recites an audio processing unit configured to process the audio information synchronized with the translated closed caption character information displayed on the screen. However, Schein and/or Gibbon and/or Berstis, either alone or in combination, provide no teaching or

suggestion for the features of claim 2 in combination with the other features of independent claim 1. Thus, dependent claim 2 is allowable at least for this additional reason.

C. Dependent Claim 4

Dependent claim 4 depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 4 recites additional features such that dependent claim 4 does not stand or fall together with independent claim 1. For example, dependent claim 4 recites that the contact information comprises a URL. Schein and/or Gibbon and/or Berstis, either alone or in combination, provide no teaching or suggestion for the features of claim 4, let alone in combination with the other features of independent claim 1. Thus, dependent claim 4 is allowable at least for this additional reason.

D. Dependent Claim 11

Dependent claim 11 depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 11 recites additional features such that dependent claim 11 does not stand or fall together with independent claim 1. For example, dependent claim 11 recites that the control unit is configured to generate an OSD (On Screen Display) based on the translated closed caption character information, and to provide the translated closed caption character information to the video processing unit in order to display the OSD on the screen. As set forth above, Schein neither discloses nor suggests such features, and Gibbon and Berstis each fail to overcome the deficiencies of Schein.

More specifically, as set forth above, the system disclosed by Schein simply allows a user

to link to advertisers and broadcasters related to television programming through an EPG. The transcription which may be ordered using Schein's system is a written, hard copy transcription which is separate from any associated audio or video component, and which is not displayed on a screen. Schein neither discloses nor suggests any type of control unit which can generate any type of OSD, let alone an OSD based on translated closed caption information, nor that such caption character information could or should be displayed on a screen, as recited in claim 11.

Further, as set forth above, Gibbon's system for producing hypermedia documents produces aligned text in the same language in which it was received, and not translated text. Gibbon neither discloses nor suggests a control unit that generates and displays an OSD using the aligned text, let alone translated text, as recited claim 11.

Additionally, as set forth above, the data processing system 10 disclosed by Berstis displays a translation of an email message along with the text in the original language. Berstis neither discloses nor suggests that the text comprises closed caption character information, let alone translated closed caption character information, nor that as OSD is generated and/or displayed based on such translated closed caption character information, as recited in claim 11.

Thus, Schein and/or Gibbon and/or Berstis, either alone or in combination, provide no teaching or suggestion for the features of claim 11, let alone in combination with the other features of independent claim 1. Thus, dependent claim 11 is allowable at least for this additional reason.

E. Dependent Claim 32

Dependent claim 32 depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 32 recites additional features such that dependent claim 32 does not stand or fall together with independent claim 1. For example, dependent claim 32 recites that the translation site is selected from a plurality of previously stored translation sites. As set forth above, Schein neither discloses nor suggests such features, and Gibbon and Berstis each fail to overcome the deficiencies of Schein.

That is, as set forth above, neither Schein nor Gibbon discloses nor suggests any type of translation function or capability. Further, the email text translation capability disclosed by Berstis is limited to that provided by the internally embedded/loaded software or the single website to which it may link. Berstis neither discloses nor suggests selecting a translation site from a plurality of translation sites, as recited in claim 32.

Thus, Schein and/or Gibbon and/or Berstis, either alone or in combination, provide no teaching or suggestion for the features of claim 32, let alone in combination with the other features of independent claim 1. Thus, dependent claim 32 is allowable at least for this additional reason.

F. Independent Claim 12

Independent claim 12 is drawn to a TV having a language selection function, comprising, *inter alia*, a network interface unit configured to contact a translation site, a storing unit configured to store contact information for at least one translation site which corresponds to a

plurality of languages and an operation program related to translation, a control unit configured to contact a translation site corresponding to a selected language based on the contact information stored in the storing unit, to transmit closed caption character information to be translated in accordance with the operation program stored in the storing unit, and to receive translated closed caption character information from the translation site, and a video processing unit configured to display the translated closed caption character information on a screen substantially in synch with corresponding audio information. As set forth above, neither Schein nor Gibbon, either alone or in combination, discloses nor suggests at least such features, let alone the claimed combination of features. Further, as set forth above, Berstis fails to overcome the deficiencies of Schein and Gibbon.

More specifically, as set forth above, neither Schein nor Gibbon, either alone or in combination, discloses or suggests any type of translation capability. Further, the translation capability taught by Berstis is limited to that provided by the internally embedded software or single website, which provides translation and display of email text only, without any accompanying audio. Berstis neither discloses nor suggests that the translated email text comprises closed caption text, let alone translated closed caption text which is displayed substantially in synch with corresponding audio information, as recited in independent claim 12.

Accordingly, it is respectfully submitted that independent claim 12 is allowable over the applied combination, and thus the rejection of independent claim 12 under 35 U.S.C. §103(a) over Schein, Gibbon and Berstis should be withdrawn.

G. Dependent Claim 13

Dependent claim 13 depends from independent claim 12, and therefore is allowable at least for this reason. However, dependent claim 13 recites additional features such that dependent claim 13 does not stand or fall together with independent claim 12. For example, dependent claim 13 recites an audio processing unit configured to output the corresponding audio information synchronized with the translated closed caption character information. As set forth above, Schein and Gibbon, either alone or in combination, neither disclose nor suggest outputting audio information in synch with translated closed caption information. Further, Berstis merely discloses limited translation of email text, with no associated audio information. Thus, Schein and/or Gibbon and/or Berstis, either alone or in combination, provide no teaching or suggestion for the features of claim 13, let alone in combination with the other features of independent claim 12. Thus, dependent claim 13 is allowable at least for this additional reason.

H. Dependent Claim 14

Dependent claim 14 depends from independent claim 12, and therefore is allowable at least for this reason. However, dependent claim 14 recites additional features such that dependent claim 14 does not stand or fall together with independent claim 12. For example, dependent claim 14 recites that the control unit is configured to generate an OSD (On Screen Display) including the received closed caption character information, and to provide the OSD to the video processing unit in order to display the on OSD the screen. As set forth above, Schein

and/or Gibbon and/or Berstis, either alone or in combination, neither disclose nor suggest such features.

Thus, Schein and/or Gibbon and/or Berstis, either alone or in combination, provide no teaching or suggestion for the features of claim 14, let alone in combination with the other features of independent claim 12. Thus, dependent claim 14 is allowable at least for this additional reason.

I. Independent Claim 18

Independent claim 18 is directed to control method for a TV having a language selection function which receives closed caption character information in a first language and contacts a translation site through a network interface if the first language associated with the closed caption character information does not correspond to a selected language. Independent claim 18 recites, *inter alia*, selecting an appropriate translation site based on previously stored contact information related to a plurality of translation sites. Independent claim 18 also recites, *inter alia*, displaying closed caption character information on a screen substantially in synch with corresponding audio information. As set forth above, Schein and Gibbon, either alone or in combination, neither disclose nor suggest any such type of translation features, let alone the claimed combination of features.

Further, as set forth above, Berstis fails to overcome the deficiencies of Schein and Gibbon. More specifically, the email text translation capability disclosed by Berstis is limited to that provided by the internally embedded software or the single website to which it may connect.

Berstis neither discloses nor suggests contacting an appropriate translation site based on previously stored contact information related to a plurality of translation sites, as recited in independent claim 18. Further, Berstis neither discloses nor suggests that the translated email text comprises closed caption text, let alone translated closed caption text which is displayed substantially in synch with corresponding audio information, as recited in independent claim 18.

Accordingly, it is respectfully submitted that independent claim 18 is allowable over the applied combination, and thus the rejection of independent claim 18 under 35 U.S.C. 103(a) over Schein, Gibbon and Berstis should be withdrawn.

J. Dependent Claim 33

Dependent claim 33 depends from claim 18, and therefore is allowable at least for this reason. However, dependent claim 33 recites additional features such that dependent claim 33 does not stand or fall together with independent claim 18. For example, dependent claim 33 recites that the translation site is selected from a plurality of previously stored translation sites. As set forth above, Schein and/or Gibbon and/or Berstis, either alone or in combination, provide no teaching or suggestion for the features of claim 33, let alone in combination with the other features of independent claim 18. Thus, dependent claim 33 is allowable at least for this additional reason.

K. Independent Claim 23

Independent claim 23 is directed to a control method for a TV having a language selection function. Independent claim 23 recites, *inter alia*, requesting translation of closed caption character information by contacting an internet translation site corresponding to a selected language by selecting an appropriate translation site from a plurality of translation sites. Independent claim 23 also recites, *inter alia*, receiving translated closed caption character information from the translation site and displaying the translated closed caption character information on a screen substantially in synch with corresponding audio information. As set forth above, Schein and Gibbon, either alone or in combination, neither disclose nor suggest any such type of translation features, let alone the claimed combination of features.

Further, as set forth above, Berstis fails to overcome the deficiencies of Schein and Gibbon. More specifically, the email text translation capability disclosed by Berstis is limited to that provided by the internally embedded software or the single website to which it may connect. Berstis neither discloses nor suggests selecting an appropriate translation site a plurality of translation sites, as recited in independent claim 23. Further, Berstis neither discloses nor suggests that the translated email text comprises closed caption text, let alone translated closed caption text which is displayed substantially in synch with corresponding audio information, as recited in independent claim 23.

Accordingly, it is respectfully submitted that independent claim 23 is allowable over the applied combination, and thus the rejection of independent claim 23 under 35 U.S.C. 103(a) over

Schein, Gibbon and Berstis should be withdrawn.

L. Dependent Claim 31

Dependent claim 31 depends from claim 23, and therefore is allowable at least for this reason. However, dependent claim 31 recites additional features such that dependent claim 31 does not stand or fall together with independent claim 23. For example, dependent claim 31 recites that a signal comprises a broadcast signal. As set forth above, Schein and/or Gibbon and/or Berstis, either alone or in combination, provide no teaching or suggestion for the features of claim 31 in combination with the other features of independent claim 23. Thus, dependent claim 31 is allowable at least for this additional reason.

II. Rejection Under 35 U.S.C. §103(a) over Schein, Gibbon, Berstis and Mighdoll

A. Dependent Claim 5

Dependent claim 5 depends from claim 4, which depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 5 recites additional features such that dependent claim 5 does not stand or fall together with claims 1 and/or 4. For example, dependent claim 5 recites that the control unit is configured to contact a translation relay site server by using a URL associated with the translation site, and to receive the closed caption translated character information from the translation relay site server. Schein and/or Gibbon and/or Berstis, either alone or in combination, provide no teaching or suggestion for the features of claim 5 in combination with the features of claims 1 and 4. Thus, dependent

claim 5 is allowable for this additional reason.

B. Dependent Claim 6

Dependent claim 6 depends from claim 5, which depends from claim 4, which depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 6 recites additional features such that dependent claim 6 does not stand or fall together with claims 1, 4 and/or 5. For example, dependent claim 6 recites that the control unit is configured to contact the translation relay site server through a network interface unit. As set forth above and as acknowledged in the Office Action, Schein, Gibbon and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Mighdoll is merely cited as allegedly teaching a translation relay site server, and thus fails to overcome the deficiencies of Schein, Gibbon and Berstis.

Schein and/or Gibbon and/or Berstis and/or Mighdoll neither disclose nor suggest the features of claim 6 in combination with the other features of claims 1, 4 and 5. Thus, dependent claim 6 is allowable for this additional reason.

C. Dependent Claim 7

Dependent claim 7 depends from claim 6, which depends from claim 5, which depends from claim 4, which depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 7 recites additional features such that dependent claim 7 does not stand or fall together with claims 1, 4, 5 and/or 6. For example, dependent claim 7 recites that the translation relay site server is configured to receive closed caption character

information and language information transmitted form the control unit, to translate the transmitted closed caption character information into a language corresponding to the language information, and to transmit the translated closed caption information to the control unit. As set forth above and as acknowledged in the Office Action, Schein, Gibbon and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Mighdoll is merely cited as allegedly teaching a translation relay site server, and thus fails to overcome the deficiencies of Schein, Gibbon and Berstis.

Schein and/or Gibbon and/or Berstis and/or Mighdoll neither disclose nor suggest the features of claim 7 in combination with the other features of claims 1, 4, 5 and 6. Thus, dependent claim 7 is allowable for this additional reason.

D. Dependent Claim 8

Dependent claim 8 depends from claim 7, which depends from claim 6, which depends from claim 5, which depends from claim 4, which depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 8 recites additional features such that dependent claim 8 does not stand or fall together with claims 1, 4, 5, 6 and/or 7. For example, dependent claim 8 recites that the language corresponding to the language information is a language selected by a user. As set forth above and as acknowledged in the Office Action, Schein, Gibbon and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Mighdoll is merely cited as allegedly teaching a translation relay site server, and thus fails to overcome the deficiencies of Schein, Gibbon and Berstis.

Schein and/or Gibbon and/or Berstis and/or Mighdoll neither disclose nor suggest the features of claim 8 in combination with the other features of claims 1, 4, 5, 6 and 7. Thus, dependent claim 8 is allowable for this additional reason.

E. Dependent Claim 9

Dependent claim 9 depends from claim 6, which depends from claim 5, which depends from claim 4, which depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 9 recites additional features such that dependent claim 9 does not stand or fall together with claims 1, 4, 5 and/or 6. For example, dependent claim 9 recites that the translation relay site server is configured to receive closed caption character information from the translation site in accordance with the selected language, and to transmit the translated closed caption character information to the control unit. As set forth above and as acknowledged in the Office Action, Schein, Gibbon and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Mighdoll is merely cited as allegedly teaching a translation relay site server, and thus fails to overcome the deficiencies of Schein, Gibbon and Berstis.

Schein and/or Gibbon and/or Berstis and/or Mighdoll neither disclose nor suggest the features of claim 9 in combination with the other features of claims 1, 4, 5 and 6. Thus, dependent claim 9 is allowable for this additional reason.

F. Dependent Claim 10

Dependent claim 10 depends from claim 9, which depends from claim 6, which depends

from claim 5, which depends from claim 4, which depends from independent claim 1, and therefore is allowable at least for this reason. However, dependent claim 10 recites additional features such that dependent claim 10 does not stand or fall together with claims 1, 4, 5, 6 and/or 9. For example, dependent claim 10 recites that the translation site is configured to receive the closed caption character information to be translated from the translation relay site server, to translate the closed caption character information into the selected language, and to provide the translated closed caption character information to the translate relay site server. As set forth above and as acknowledged in the Office Action, Schein, Gibbon and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Mighdoll is merely cited as allegedly teaching a translation relay site server, and thus fails to overcome the deficiencies of Schein, Gibbon and Berstis.

Schein and/or Gibbon and/or Berstis and/or Mighdoll neither disclose nor suggest the features of claim 10 in combination with the other features of claims 1, 4, 5, 6 and 9. Thus, dependent claim 10 is allowable for this additional reason.

G. Dependent Claim 15

Dependent claim 15 depends from independent claim 12, and therefore is allowable at least for this reason. However, dependent claim 15 recites additional features such that dependent claim 15 does not stand or fall together with claim 12. For example, dependent claim 15 recites that the control unit is configured to contact a translation relay site server and to receive translated closed caption character information from the translation relay site server. As

set forth above and as acknowledged in the Office Action, Schein, Gibbon and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Mighdoll is merely cited as allegedly teaching a translation relay site server, and thus fails to overcome the deficiencies of Schein, Gibbon and Berstis.

Schein and/or Gibbon and/or Berstis and/or Mighdoll neither disclose nor suggest the features of claim 15 in combination with the other features of claim 12. Thus, dependent claim 15 is allowable for this additional reason.

H. Dependent Claim 16

Dependent claim 16 depends from claim 15, which depends from independent claim 12, and therefore is allowable at least for this reason. However, dependent claim 16 recites additional features such that dependent claim 16 does not stand or fall together with claims 1 and/or 15. For example, dependent claim 16 recites that the translation relay site server is configured to receive closed caption character information to be translated and language information from the control unit, to translate the closed caption character information into a language corresponding to the language information, and to transmit the translated closed caption character information to the control unit. As set forth above and as acknowledged in the Office Action, Schein, Gibbon and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Mighdoll is merely cited as allegedly teaching a translation relay site server, and thus fails to overcome the deficiencies of Schein, Gibbon and Berstis.

Schein and/or Gibbon and/or Berstis and/or Mighdoll neither disclose nor suggest the

features of claim 16 in combination with the other features of claims 1 and 15. Thus, dependent claim 16 is allowable for this additional reason.

I. Dependent Claim 17

Dependent claim 17 depends from claim 16, which depends from claim 15, which depends from independent claim 12, and therefore is allowable at least for this reason. However, dependent claim 17 recites additional features such that dependent claim 17 does not stand or fall together with claims 12, 15 and/or 16. For example, dependent claim 17 recites the translation relay site server is configured to receive translated closed caption character information from the translate site, and to transmit the translated closed caption character information to the control unit. As set forth above and as acknowledged in the Office Action, Schein, Gibbon and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Mighdoll is merely cited as allegedly teaching a translation relay site server, and thus fails to overcome the deficiencies of Schein, Gibbon and Berstis.

Schein and/or Gibbon and/or Berstis and/or Mighdoll neither disclose nor suggest the features of claim 17 in combination with the other features of claims 12, 15 and 16. Thus, dependent claim 17 is allowable for this additional reason.

J. Dependent Claim 19

Dependent claim 19 depends from independent claim 12, and therefore is allowable at least for this reason. However, dependent claim 19 recites additional features such that dependent claim 19 does not stand or fall together with claims 12. For example, dependent

claim 19 recites scanning a signal which includes language information associated with the closed caption character information to determine if the first language corresponds to the selected language. Dependent claim 19 also recites transmitting the closed caption character information included in the signal to a translation relay site server if the first language included in the signal is different from the selected language, and transmitting the closed caption character information from the translation relay site server to the appropriate translation site, translating the closed caption character information into the selected language, and transmitting the translated closed caption character information from the translation site to the translation relay site server. As set forth above and as acknowledged in the Office Action, Schein, Gibbon and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Mighdoll is merely cited as allegedly teaching a translation relay site server, and thus fails to overcome the deficiencies of Schein, Gibbon and Berstis.

Schein and/or Gibbon and/or Berstis and/or Mighdoll neither disclose nor suggest the features of claim 19, especially in combination with the other features of claim 12. Thus, dependent claim 19 is allowable for this additional reason.

CLAIMS APPENDICES A AND B

The attached Claims Appendix A contains a copy of the claims involved in the Appeal, and subsequent to the entry of the Amendment filed on February 7, 2007, canceling claims 21 and 22 in order to overcome the objection to the drawings and the rejection of claims 21 and 22

under 35 U.S.C. §112, first paragraph, so as to reduce the number of issues for appeal. The attached Claims Appendix B contains a copy of the pending claims prior to the entry of the February 7, 2007 Amendment.

EVIDENCE APPENDIX

Applicant has not provided any evidence with this appeal.

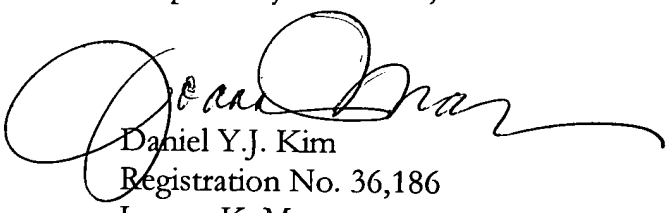
RELATED PROCEEDINGS APPENDIX

There are no proceedings or decisions related to this appeal.

CONCLUSION

It is respectfully submitted that the above arguments show that each of claims 1, 2, 4-19, 23 and 31-33 are patentable over the applied references. Based at least on these reasons, it is respectfully submitted that each of claims 1, 2, 4-19, 23 and 31-33defines patentable subject matter. Applicant respectfully requests that the rejections of claims 1, 2, 4-19, 23 and 31-33 set forth in the July 11, 2006 Office Action be withdrawn.

Respectfully submitted,



Daniel Y.J. Kim
Registration No. 36,186
Joanna K. Mason
Registration No. 56,408

P. O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3701 DYK/JKM/lhd

Date: February 8, 2007

Please direct all correspondence to Customer Number 34610

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CLAIMS APPENDIX A

Listing of Claims:

1. A television (TV) having a language selection function, comprising:

a control unit configured to receive closed caption character information in a first language, to send the closed caption character information to a translation site through a network interface based on contact information associated with a plurality of translation sites stored in a storing unit if it is determined that the first language does not correspond to a selected language, and to receive the translated closed caption character information corresponding to the selected language; and

a video processing unit configured to receive the translated closed caption character information and to display the translated closed caption character information on a screen substantially in synch with corresponding audio information.

2. The TV having the language selection function according to claim 1, further comprising an audio processing unit configured to process the audio information synchronized with the translated closed caption character information displayed on the screen.

4. The TV having the language selection function according to claim 1, wherein the contact information comprises a URL (Uniform Resource Locator).

5. The TV having the language selection function according to claim 4, wherein the control unit is configured to contact a translation relay site server by using a URL associated with the translation site, and to receive the closed caption translated character information from the translation relay site server.

6. The TV having the language selection function according to claim 5, wherein the control unit is configured to contact the translation relay site server through a network interface unit.

7. The TV having the language selection function according to claim 6, wherein the translation relay site server is configured to receive closed caption character information and language information transmitted from the control unit, to translate the transmitted closed caption character information into a language corresponding to the language information, and to transmit the translated closed caption information to the control unit.

8. The TV having the language selection function according to claim 7, wherein the language corresponding to the language information is a language selected by a user.

9. The TV having the language selection function according to claim 6, wherein the translation relay site server is configured to receive translated closed caption character information from the translation site in accordance with the selected language, and to transmit the translated closed caption character information to the control unit.

10. The TV having the language selection function according to claim 9, wherein the translation site is configured to receive the closed caption character information to be translated from the translation relay site server, to translate the closed caption character information into the selected language, and to provide the translated closed caption character information to the translation relay site server.

11. The TV having the language selection function according to claim 1, wherein the control unit is configured to generate an OSD (On Screen Display) based on the translated closed caption character information, and to provide the translated closed caption character information to the video processing unit in order to display the OSD on the screen.

12. A TV having a language selection function, comprising:

a network interface unit configured to contact a translation site;

a storing unit configured to store contact information for at least one translation site which corresponds to a plurality of languages and an operation program related to translation;

a control unit configured to contact a translation site corresponding to a selected language based on the contact information stored in the storing unit, to transmit closed caption character information to be translated in accordance with the operation program stored in the storing unit, and to receive translated closed caption character information from the translation site; and

a video processing unit configured to display the translated closed caption character information on a screen substantially in synch with corresponding audio information.

13. The TV having the language selection function according to claim 12, further comprising an audio processing unit configured to output the corresponding audio information synchronized with the translated closed caption character information.

14. The TV having the language selection function according to claim 12, wherein the control unit is configured to generate an OSD (On Screen Display) including the received closed caption character information, and to provide the OSD to the video processing unit in order to display the on OSD the screen.

15. The TV having the language selection function according to claim 12, wherein the control unit is configured to contact a translation relay site server and to receive translated closed caption character information from the translation relay site server.

16. The TV having the language selection function according to claim 15, wherein the translation relay site server is configured to receive closed caption character information to be translated and language information from the control unit, to translate the closed caption character information into a language corresponding to the language information, and to transmit the translated closed caption character information to the control unit.

17. The TV having the language selection function according to claim 16, wherein the translation relay site server is configured to receive translated closed caption character information from the translation site, and to transmit the translated closed caption character information to the control unit.

18. A control method for a TV having a language selection function, comprising:

receiving closed caption character information in a first language and contacting an appropriate translation site through a network interface if it is determined that the first language associated with the closed caption character information does not correspond to a selected language, comprising:

selecting the appropriate translation site based on the selected language and contacting the appropriate translation site based on previously stored contact information related to a plurality of translation sites;

requesting translation of the closed caption character information from the first language

to the selected language by transmitting the closed caption character information to the appropriate translation site; and

receiving closed caption character information which has been translated into the selected language from the translation site; and

displaying the translated closed caption character information on a screen substantially in synch with corresponding audio information.

19. The control method of the TV having the language selection function according to claim 18, wherein receiving closed caption character information in a first language and contacting an appropriate translation site through a network interface if it is determined that the first language associated with the closed caption character information does not correspond to a selected language further comprises:

scanning a signal which includes language information associated with the closed caption character information to determine if the first language corresponds to the selected language;

transmitting the closed caption character information included in the signal to a translation relay site server if the first language included in the signal is different from the selected language; and

transmitting the closed caption character information from the translation relay site server to the appropriate translation site, translating the closed caption character information into the

selected language and, transmitting the translated closed caption character information from the translation site to the translation relay site server.

23. A control method for a TV having a language selection function, comprising:

determining if a language of closed caption character information included in a signal corresponds to a selected language;

requesting translation of the closed caption character information by contacting an internet translation site corresponding to the selected language by selecting an appropriate translation site from a plurality of translation sites and transmitting the closed caption character information to the selected translation site if the language of the closed caption character information included in the signal is different from the selected language; and

receiving translated closed caption character information from the translation site and displaying the translated closed caption character information on a screen substantially in synch with corresponding audio information.

31. The control method of a TV having a language selection function according to claim 23, wherein the signal comprises a broadcast signal.

32. The TV having a language selection function according to claim 1, wherein the

translation site is selected from a plurality of previously stored translation sites.

33. The control method of a TV having a language selection function according to claim 18, wherein the translation site is selected from a plurality of previously stored translation sites.

CLAIMS APPENDIX B

Listing of Claims:

1. A television (TV) having a language selection function, comprising:

a control unit configured to receive closed caption character information in a first language, to send the closed caption character information to a translation site through a network interface based on contact information associated with a plurality of translation sites stored in a storing unit if it is determined that the first language does not correspond to a selected language, and to receive the translated closed caption character information corresponding to the selected language; and

a video processing unit configured to receive the translated closed caption character information and to display the translated closed caption character information on a screen substantially in synch with corresponding audio information.

2. The TV having the language selection function according to claim 1, further comprising an audio processing unit configured to process the audio information synchronized with the translated closed caption character information displayed on the screen.

4. The TV having the language selection function according to claim 1, wherein the contact information comprises a URL (Uniform Resource Locator).

5. The TV having the language selection function according to claim 4, wherein the control unit is configured to contact a translation relay site server by using a URL associated with the translation site, and to receive the closed caption translated character information from the translation relay site server.

6. The TV having the language selection function according to claim 5, wherein the control unit is configured to contact the translation relay site server through a network interface unit.

7. The TV having the language selection function according to claim 6, wherein the translation relay site server is configured to receive closed caption character information and language information transmitted from the control unit, to translate the transmitted closed caption character information into a language corresponding to the language information, and to transmit the translated closed caption information to the control unit.

8. The TV having the language selection function according to claim 7, wherein the language corresponding to the language information is a language selected by a user.

9. The TV having the language selection function according to claim 6, wherein the translation relay site server is configured to receive translated closed caption character information from the translation site in accordance with the selected language, and to transmit the translated closed caption character information to the control unit.

10. The TV having the language selection function according to claim 9, wherein the translation site is configured to receive the closed caption character information to be translated from the translation relay site server, to translate the closed caption character information into the selected language, and to provide the translated closed caption character information to the translation relay site server.

11. The TV having the language selection function according to claim 1, wherein the control unit is configured to generate an OSD (On Screen Display) based on the translated closed caption character information, and to provide the translated closed caption character information to the video processing unit in order to display the OSD on the screen.

12. A TV having a language selection function, comprising:

a network interface unit configured to contact a translation site;

a storing unit configured to store contact information for at least one translation site which corresponds to a plurality of languages and an operation program related to translation;

a control unit configured to contact a translation site corresponding to a selected language based on the contact information stored in the storing unit, to transmit closed caption character information to be translated in accordance with the operation program stored in the storing unit, and to receive translated closed caption character information from the translation site; and

a video processing unit configured to display the translated closed caption character information on a screen substantially in synch with corresponding audio information.

13. The TV having the language selection function according to claim 12, further comprising an audio processing unit configured to output the corresponding audio information synchronized with the translated closed caption character information.

14. The TV having the language selection function according to claim 12, wherein the control unit is configured to generate an OSD (On Screen Display) including the received closed caption character information, and to provide the OSD to the video processing unit in order to display the on OSD the screen.

15. The TV having the language selection function according to claim 12, wherein the control unit is configured to contact a translation relay site server and to receive translated closed caption character information from the translation relay site server.

16. The TV having the language selection function according to claim 15, wherein the translation relay site server is configured to receive closed caption character information to be translated and language information from the control unit, to translate the closed caption character information into a language corresponding to the language information, and to transmit the translated closed caption character information to the control unit.

17. The TV having the language selection function according to claim 16, wherein the translation relay site server is configured to receive translated closed caption character information from the translation site, and to transmit the translated closed caption character information to the control unit.

18. A control method for a TV having a language selection function, comprising:

receiving closed caption character information in a first language and contacting an appropriate translation site through a network interface if it is determined that the first language associated with the closed caption character information does not correspond to a selected language, comprising:

selecting the appropriate translation site based on the selected language and contacting the appropriate translation site based on previously stored contact information related to a plurality of translation sites;

requesting translation of the closed caption character information from the first language

to the selected language by transmitting the closed caption character information to the appropriate translation site; and

receiving closed caption character information which has been translated into the selected language from the translation site; and

displaying the translated closed caption character information on a screen substantially in synch with corresponding audio information.

19. The control method of the TV having the language selection function according to claim 18, wherein receiving closed caption character information in a first language and contacting an appropriate translation site through a network interface if it is determined that the first language associated with the closed caption character information does not correspond to a selected language further comprises:

scanning a signal which includes language information associated with the closed caption character information to determine if the first language corresponds to the selected language;

transmitting the closed caption character information included in the signal to a translation relay site server if the first language included in the signal is different from the selected language; and

transmitting the closed caption character information from the translation relay site server to the appropriate translation site, translating the closed caption character information into the selected language and, transmitting the translated closed caption character information from the translation site to the translation relay site server.

21. The control method of the TV having the language selection function according to claim 19, wherein the language information comprises user language information which defines the selected language and character language information which defines a language of character information included in the signal.

22. The control method for the TV having the language selection function according to claim 21, wherein the previously stored translation site contact information is updated periodically.

23. A control method for a TV having a language selection function, comprising:

determining if a language of closed caption character information included in a signal corresponds to a selected language;

requesting translation of the closed caption character information by contacting an internet translation site corresponding to the selected language by selecting an appropriate

translation site from a plurality of translation sites and transmitting the closed caption character information to the selected translation site if the language of the closed caption character information included in the signal is different from the selected language; and

receiving translated closed caption character information from the translation site and displaying the translated closed caption character information on a screen substantially in synch with corresponding audio information.

31. The control method of a TV having a language selection function according to claim 23, wherein the signal comprises a broadcast signal.

32. The TV having a language selection function according to claim 1, wherein the translation site is selected from a plurality of previously stored translation sites.

33. The control method of a TV having a language selection function according to claim 18, wherein the translation site is selected from a plurality of previously stored translation sites.